

Exhibit 9

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**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

In re: KATZ INTERACTIVE CALL
PROCESSING LITIGATION

Case No.: 07-ML-1816 RGK (FFM)

This document relates to all cases in
07-ML-1816 RGK (FFM)

**DISCOVERY SPECIAL MASTER'S
ORDER NO. 4: JOINT MOTION RE
EXPERT DISCOVERY (Hrg.
11/7/07)**

On November 7, 2007, the Discovery Special Master heard the parties Joint Motion re Expert Discovery. Counsel for all affected parties were present. Having considered the arguments of the parties, and having consulted with Judge Klausner, the Discovery Special Master issues the following order to clarify the Court's prior orders concerning the close of discovery, and to provide for the timing of expert discovery.

On June 12, 2007, the Court issued a Minute Order that provided for the close of discovery on April 14, 2008. The Discovery Case Management Order ("DCMO"), entered on August 28, 2007, required the parties to met and confer regarding the scheduling of expert discovery. The parties have been unable to agree on the meaning of the Court's Minute Order or how to schedule expert discovery. Plaintiff argues that the Court meant to close only fact

1 discovery on April 14, so that expert opinions and discovery could be based on a full factual
2 record. Defendants argue that the Court intended to close all discovery on April 14, and urge
3 that expert discovery be scheduled prior to that. Also relevant is that the Court set May 14, 2008
4 as the last date for filing individual summary judgment motions, which of course are likely to
5 involve expert opinions.

6 The Discovery Special Master has discussed the pros and cons of each position
7 thoroughly with Judge Klausner, who confirmed that he intended to have all discovery, both fact
8 and expert, closed by April 14, 2008, and that having considered all the circumstances does not
9 believe there is a good reason to change that date. He also confirmed that he does not intend to
10 alter the summary judgment filing dates.

11 Order

12 Now, therefore, good cause appearing, it is hereby ORDERED that:

13 1. All discovery, both fact and expert, shall be completed by April 14, 2008, except as
14 ordered by the Discovery Special Master or the Court for good cause.

15 2. Opening expert reports shall be served by February 29, 2008. Rebuttal expert reports
16 shall be served by March 21, 2008. Expert depositions shall be scheduled between February 29
17 and April 14, 2008, with priority being given to those experts whose testimony is relevant to the
18 summary judgment motions.

19 3. The parties shall meet and confer regarding a schedule for expert depositions, and
20 shall present a joint proposed schedule to the Discovery Special Master by February 22, 2008. If
21 they are unable to agree on a joint schedule, a conference with the Discovery Special Master will
22 take place on February 26, 2008 to resolve all disputes.

23
24 IT IS SO ORDERED.

25
26 Dated: November 21, 2007

By: 

27 Martin Quinn, Discovery Special Master
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